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PROB 12A  
(NYEP-6/15/07)

**United States District Court  
for  
Eastern District of New York  
Report on Offender Under Supervision**

Name of Offender: **Andrew Graynor**

Case Number: **00-CR-1307-01**

Name of Sentencing Judicial Officer: **The Honorable Joanna Seybert, United States District Judge**

Date of Original Sentence: **February 11, 2005**

Original Offense: **18 USC 1014, Making False Statements for the Purpose of Influencing a Bank Whose Accounts are Insured by the FDIC, a class B felony**

Original Sentence: **5 years probation, \$43,073,542 restitution and \$100 special assessment**

Type of Supervision: **Probation** Date Supervision Commenced: **February 11, 2005**

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**NON-COMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

<b><u>Violation Number</u></b>	<b><u>Nature of Noncompliance</u></b>
1.	Wilful Failure to Pay Restitution


U.S. Probation Officer Action:

We write to notify the Court that the aforementioned offender is not in compliance with the condition of probation mandating that he pay his restitution in accordance with the schedule ordered by the Court. At the time that the offender was sentenced on the instant offense, Your Honor ordered him to pay restitution at the rate of 25% of his net monthly income. Five months later on July 19, 2005, the Court approved a reduction of the monthly installment payment from 25% of his net, to a fixed amount of \$200 per month. In February 2006, the Probation Office notified Your Honor that the offender had not been making the mandated payments each month and the Court agreed with our recommendation that no official action be taken against the offender at that time.

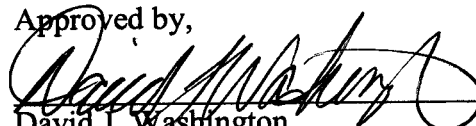
Once again, the offender has fallen into non-compliance due to his failure to make monthly installment payments toward his restitution obligation. In the 38 months since our last communication to Your Honor, the offender has made only 17 payments toward restitution, and currently has arrearage of \$2,725. According to records maintained by the Financial Litigation Unit ("FLU") of the U.S. Attorney's Office, the outstanding restitution balance is \$48,266,123.71, including interest.

We have enlisted the assistance of FLU, who are in the process of obtaining subpoenas for bank account information on the offender. FLU also intends to depose the offender and his wife. At present, we respectfully recommend that no court action be taken against the offender. We would like to continue the investigation into the offender's finances and will keep Your Honor apprised of any developments.

Respectfully submitted by,

  
Anie Gonzalez  
U.S. Probation Officer  
Date: April 15, 2009

Approved by,

  
David J. Washington  
Supervising U.S. Probation Officer  
Date: April 15, 2009

THE COURT ORDERS:

- ☒ No Action
- ☐ Submit a Request for Modifying the Condition or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other

Signature of Judicial Officer

Apr. 20, 2009  
Date